

Elections Advisory Committee

To the Secretary of State, Texas

Sept. 3, 2002

To: Rick Perry, Governor
Bill Ratliff, Lieutenant Governor
Pete Laney, Speaker of the House
Gwyn Shea, Secretary of State

From: John Cranfill
The Dallas Morning News
2001-2003 committee chairman



Observer's Report for March 12, 2002 primary and April 9 runoffs in Texas

March 12, 2002, the Democratic and Republican parties in Texas held energetic primaries to select candidates for governor and other important races to be decided in the November 5 Texas general election. A runoff was required and held on April 9 for 16 Republican races and 9 Democratic races.

This Observer's report is made by John Cranfill, chair of the committee. It covers the March 12 primary and April 9 runoff. I was assisted in observing the primary by Mr. Michael Schneider of the Texas Association of Broadcasters and Mr. Ken Whalen of the Texas Daily Newspaper Association.

For the record, a special election was scheduled for May 4, 2002 but all candidates were unopposed, and no election was held according to the new state law. On April 10 winners were declared in Texas House district 150 and 56, and Texas Senate district 22.

On primary night the Secretary of State set up an election center in the Earl Rudder Building for getting the voter results from counties and sending these out to the public through established news media, an Internet web site and printed reports. This report reflects what happened under the direction of Gwyn Shea, Secretary of State.



The March 12 primary produced the first Hispanic Democratic nominee for governor. Tony Sanchez won with 63% of the vote in a battle against former Attorney General Dan Morales. Sanchez will run against Gov. Rick Perry, who was unopposed in the Republican primary. Perry became governor in December 2000 when George W. Bush resigned to become president.

April 9 resolved a runoff between Ron Kirk and Victor Morales for U.S. senate, with Kirk winning with 60% of the vote, to face Attorney General John Cornyn in November, who won his primary with 77% of the vote.

Texas primaries are huge undertakings and usually require counting of votes all night after the polls close at 7 p.m. The final results are usually not known until the next morning. With 12,218,164 registered voters for this primary, the job was somewhat daunting to get votes counted from all 254 counties and the results made public by the news media for all the important races. Any delay can cause problems in this process. An important thing to remember is the large number of precincts involved—8,387 for the Democrats and 7,928 Republican precincts—over 16,000 in all.





In all, there were 45 contested Democratic races and 75 contested Republican races involved on March 12. In addition, the 8 uncontested races were reported. Races included governor, lieutenant governor, attorney general and other statewide offices, plus state house, state senate and U.S. senator and U.S. representatives. On April 9, a runoff was required for 16 Republican and 9 Democratic spots on the ballot.

How did this one go? Pretty well, as the two parties and all counties appeared to pursue counting votes in a sincere manner. At 10 p.m., about 40 % of Democratic precincts were counted and 30 % of Republican precincts. By midnight, 74% of Republican and 73 % of Democratic precincts were complete. It moved quickly until 2 a.m. when 90% of the precincts were counted for both parties. This number grew to 98% for both parties by 4:38 a.m. Wednesday. But problems in two counties, Hidalgo and Hardin, were not going to be resolved until later, so the Secretary of State staff shut down at that point to return after getting some sleep. These two counties were not complete until 1:30 p.m. Wednesday. There also were some numbers restated by Navarro County at that point.

The finish time was normal—one or two counties are always late and don't report until the next afternoon—but this does not tell the whole story. There were a record 85 counties reporting via the World Wide Web to the Secretary's system in Austin, using secured Web screens. This eliminated phone calls to Austin from 85 counties, saving time and eliminating the number of staff personnel needed to take phone calls. Using the Web should save time and speed up the final count for Texas elections in the future, as more of the state's 254 counties use this method.

This election was further unprecedented because of an event in Bexar County. Through some glitch, many election judges did not show up in San Antonio on election day, and citizens could not begin voting at 7 a.m., as required by law. As a result of party complaints, a Bexar County state judge extended poll closing time for both

parties to 10 p.m., issuing a temporary restraining order. Both parties followed the TRO, which delayed vote tabulation.

One other potential circumstance occurred when the Secretary of State decided to report the results of uncontested races, although these are not required by law to be reported. There were 28 uncontested races, but only 8 executive-level ones were reported, including Gov. Rick Perry's uncontested results, which the Secretary felt were in the public interest to include. The Associate Press objected strongly to this, via the Elections Advisory Committee, fearing it would delay overall vote tabulation and results by including the 8 races. We don't know if this was the case, because the Bexar County temporary restraining order pushed poll closing time later by three hours and made tabulation results later for all the statewide races.

It should be noted the ballot for the Republican primary in Collin County left one candidate for state representative, district 70, Harry Pierce, off the Election Night Reporting system. It was determined to be too risky to alter the computer program on election day. The results were reported manually by the elections staff.

The April 9 runoff had a speedy finish, with 99.98% of votes counted and reported by ten minutes past midnight. One precinct was out, locked in a school building, and had to be reported later that morning.

The news media in Texas has a unique role: advising the state's election reporting operation and getting to participate in the process that ensures needed results in a format that radio, television stations and newspapers require—all in a timely manner. This now includes putting vote results up on a public World Wide Web site during the evening for anyone to read.

As the state's chief elections official, Secretary of State Gwyn Shea is advised by this EAC committee.

The whole community involved with this—the newspapers, television stations, radio stations, the Associated Press headquarters in Dallas, the AP in New York, the Texas press and media associations and the secretary's staff—has worked to ensure fast, clean election tabulations, and



Ann McGeehan, left, and Sec. Gwyn Shea discuss Bexar County returns

posting of results for the public to see quickly through the news media and on the Internet (www.sos.state.tx.us).

The purpose of the Elections Advisory Committee is to evaluate the tabulation process of unofficial returns for elections conducted by the secretary of state, make any recommendations it thinks appropriate and submit a written report after each election to the Texas secretary of state, governor, lieutenant governor and speaker of the house.

The committee is made up of six people appointed by the secretary of state, lieutenant governor and speaker, with appointments made in odd-numbered years to serve for two years.

The 2001-2003 committee met on January 17, 2002 to fulfill the requirements of the Texas Election Code, Chapter 68, to review the Secretary's procedures for the March 12, 2002 primary elections by the Democratic and Republican parties in Texas. Observers were appointed for the election.

March 12 turnout was 1,024,814 voters or 8.4% for the Democratic primary and 622,423 or 5.1% for Republican primary voters. April 9 turnout was 620,301 voters or 5.1% for Democrats and 227,342 voters or 1.2% of Republicans.

Internet postings ran about 5 minutes behind the live system of terminals in Austin and had 142,000 page views on March 12 and 92,000 page views on April 9.

On March 12, Secretary Shea staffed the Election Night Returns system in Austin with 31 data entry people, supervised by Lorna Wassdorf, to enter county results into the computer system. There were 11 staffers to monitor the flow of results from counties, and 21 field inspectors, supervised by Ann McGeehan, Director of Elections, and Melinda



Kim Sutton, left, helps a Houston TV station on-site subscriber.



Data entry staffers taking vote numbers from counties via telephone.

Nickless, Assistant Director of Elections. Other key personnel involved in the election were Vanessa Tisdale, Deputy Assistant Secretary of State for Information Services and key people on her staff (Jim Edwards, John Mendoza, Jim McBride). The elections staff included Director of Special Projects, Kim Sutton and Kim Thole.

After the polls closed at 7 p.m., all 254 counties were required to call the Secretary of State's office with vote totals on election night. Data entry personnel entered these totals in the system, and monitors called counties periodically if totals had not been reported. The called-in results were keyed into the computer system, which put the total numbers into a variety of computer terminal screens requested by the news media. Reporters and editors could use a terminal on this live system in Austin, or connect to it remotely, as several media organizations did for this election. The Associated Press in Dallas and New York receives direct feeds from the Secretary's computer.

Newspaper and television editors contacted said the primary night operation was a good one from their perspective. Editors liked the Internet link and some referred their readers to the web site address for final numbers.

For the 2002 Primaries, the Secretary of State's Election Night Returns (ENR) system had 10 subscribers to the newswire datafeed service, six subscribers used remote connections and, the largest and most consistent user, the Associated Press had a direct customized transmission of vote totals to its computers.